

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/630,968
Applicant : John J. ROSSI et al.
Filed : 31 July 2003
TC/A.U. : 1635
Examiner : Dana H. SHIN

Docket No. : 1954-401
Customer No. : 06449
Confirmation No. : 3645

DECLARATION UNDER 37 CFR 1.131(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

We, John J. Rossi and Daniela Castanotto, applicants for the above-identified patent application, declare as follows:

1. I am an inventor of the invention disclosed and claimed in the above-identified application.

2. On a date prior to April 15 2002 and subsequent to 1 January 1996, we conceived and reduced to practice the subject invention in the United States of America.

3. Attached hereto as Exhibit A is a photocopy of a City of Hope Invention Disclosure Form. The photocopy is a true and exact copy of the original document with the exception that all dates have been redacted so as to maintain the confidentiality of the actual date of invention.

4. The invention disclosure describes a facile method for the synthesis of siRNA encoding expression constructs. The synthesis is performed by amplification using primers that are complementary to a promoter sequence. One of the primers includes a terminator sequence. Amplification results in the synthesis of the promoter-containing siRNA expression cassette.

5. In my opinion, all steps necessary to render the subject invention complete were made in the United States prior to or by the date on which the Invention Disclosure or draft grant application were dated.

6. It is further declared that the accompanying Exhibits A may not be a complete record of Applicants data concerning the invention of the instant patent application and are not necessarily meant to represent the earliest date of conception. The accompanying exhibits are presented solely to prove a completion of the invention prior to the earliest effective date (15 April 2002) of the Paddison et al., Tuschel, Yu et al. and Paul et al. prior art cited by the Examiner in the Office Action dated 9 January 2007.

The declarants further state that the above statements were made with the knowledge that willful false statements and the like are punishable by fine and/or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that any such willful false statement may jeopardize the validity of this application or any patent resulting therefrom.

Dated: 7/09/07


John J. ROSSI

Dated: 7/09/07


Daniela CASTANOTTO